REMARKS

Claims 1-12 and 45-60 are pending in the application. Claims 47 and 58 have been amended to improve readability. In view of the remarks below, Applicants believe the claims are in condition for allowance and reconsideration is respectfully requested. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

Claim Rejections – 35 USC § 103

Paragraph 2 of the Action rejects claims 1-12 and 45-60 under 35 U.S.C. § 103 as allegedly being anticipated by Ogasawara (U.S. 6,123,259) in view of Farchmin (U.S. Pub. No. 2004/0203930. The Applicants respectfully traverse this rejection because neither Ogasawara, nor Farchmin, alone or in combination, teach, suggest, or disclose every element of the claims.

In rejecting claims 1-12 and 45-60, the Action primarily relies on Ogasawara. The Action admits, however, that Ogasawara fails to teach all of the elements of claims 1-12 and 45-60, and attempts to rely on Farchmin to make up for the deficiencies of Ogasawara, which it does not.

In certain embodiments of the present invention, a data collection device which transmits its location to a centralized controller is used. Using a data collection device which transmits its location may, in some cases, eliminate the need for certain additional systems external to the data collection device to determine the data collection device's location.

Accordingly, claim 1 recites a system comprising, *inter alia*, "a data collection and transmission node means ... for ... transmitting ... the location where said data collection and transmission means is in use" (emphasis added). References Ogasawara and Farchmin, taken either alone or in combination, fail to teach or suggest such subject matter. As recognized in the Office Action, Ogasawara fails to teach, suggest, or disclose a data collection device which transmits its location to a centralized controller. However, in contrast to the position taken in the

Action, Farchmin also fails to teach, suggest, or disclose a data collection device which transmits its location to a centralized controller. On the contrary, in Farchim a controller 38 and access point identifiers 11 use signal strengths to determine the location of a specific wireless information device 30. (See FIG. 4, step 86 and paragraph 0118.) Because Farchim fails to cure the deficiencies of Ogasawara the Applicants request that the rejection of independent claim 1 under 35 U.S.C. § 103 be reconsidered and withdrawn.

Additionally, according to Farchmin, the controller 38, access points 11, and wireless information device 30 "cooperate" to determine wireless information device location using received signal strengths. (See paragraphs 0050, 0098, 0118, and FIG. 4). Not only is it clear that the wireless information device 30 does not transmit its location, the approach taught by Farchmin actually teaches away from a data collection device which transmits its location to a centralized controller. In the Farchmin system each access point 11 is affiliated with a machine M1-M10. These access points 11 are external to the wireless information device 30 and measure the signal strength of signals transmitted by the wireless information devices 30. Accordingly, Farchim teaches using external devices 38 and 11 that cooperate to determine locations rather than a device that transmits its own location to a centralized controller. (FIG. 1)

For the above cited reasons, Applicants submit that each limitation contained in independent claim 1 is not taught by either Ogasawara or Farchmin either alone or in combination. As such, the Applicants request that the rejection of independent claim 1 under 35 U.S.C. § 103 be reconsidered and withdrawn. Claims 2-12, ultimately depend from claim 1 and are allowable for at least the reasons discussed above with respect to claim 1. As such, Applicants also request that the examiner reconsider and withdraw the rejection of claims 2-12.

Similar to allowable claim 1, claim 45 recites a system comprising, *inter alia*, "a data collection node ... configured to send ... the location of the data collection node to a network system controller." As discussed above, Ogasawara and Farchmin, taken either alone or in combination, fail to teach or suggest a data collection device which transmits its location to a centralized controller. Accordingly, claim 45 is allowable for at least the reasons discussed above with respect to claim 1. As such, Applicants also request that the examiner reconsider and withdraw the rejection of claim 45. Claims 46-60, ultimately depend from claim 45 and are

allowable for at least the reasons discussed above with respect to claim 45. As such, Applicants also request that the examiner reconsider and withdraw the rejection of claims 46-60.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 18-1953 referencing Docket No. 13CT-126385. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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